

S/N 09/807,865



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | NISHIUCHI et al. | Examiner: | Paul W. Huber |
| Serial No.: | 09/807,865 | Group Art Unit: | 2653 |
| Filed: | April 19, 2001 | Docket No.: | 10873.0704USWO |
| Title: | OPTICAL INFORMATION RECORDING MEDIUM, AND METHOD AND APPARATUS FOR RECORDING/REPRODUCTION | | |

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 408493625 US
Date of Deposit: November 12, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop Petition, P.O. Box 1450, Alexandria, VA 22313-1450.

By:
Name: David Ortiz

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in a European Search Report mailed October 14, 2004.

This statement should be considered because it is submitted after the filing of a Request for Continued Examination of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided. Enclosed for the Examiner's information is a copy of the European Search Report.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to

establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

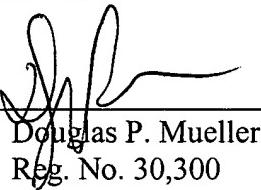
Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,



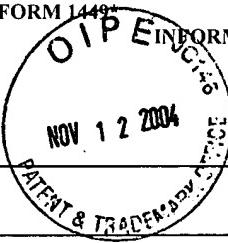
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated: November 12, 2004

By: 

Douglas P. Mueller
Reg. No. 30,300

DPM/sbd

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|  FORM 1449 O I P E INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION <small>(Use several sheets if necessary)</small> | Docket Number: 10873.0704USWO | Application Number: 09/807,865 |
| | Applicant: NISHIUCHI et al. | |
| | Filing Date: April 19, 2001 | Group Art Unit: 2653 |

| U.S. PATENT DOCUMENTS | | | | | | |
|---|--------------|---------|------------|-------|----------|----------------------------|
| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | 6,002,655 | 12/1999 | Ono et al. | | | |
| | 6,370,091 | 04/2002 | Kuroda | | | |
| | | | | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | |
| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |
| | | | | | | YES |
| | 0 549 488 | 06/1993 | Europe | | | |
| | 0 802 527 | 10/1997 | Europe | | | |
| | 98/58368 | 12/1998 | WIPO | | | |
| | | | | | | |
| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | |
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|---|-----------------|
| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. | |